

## **EXHIBIT 7**

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6

7 *Attorneys for Plaintiff / Counter-Defendant*  
8 *Nevada Controls, LLC*

9 UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA  
10 \* \* \*

11 NEVADA CONTROLS, LLC, a Nevada  
Limited Liability Company,

Case No.: 3:12-cv-00068-HDM-VPC

12 Plaintiff,

13 v.

**DECLARATION OF LEIGH GODDARD  
IN SUPPORT OF  
MOTION TO COMPEL**

14 WIND PUMP POWER, LLC, a Kansas  
Limited Liability Company, SUNFLOWER  
15 WIND, LLC, a Kansas Limited Liability  
Company; DAN RASURE, an individual,

16 Defendants.  
17 \_\_\_\_\_/

18  
19 I, LEIGH GODDARD, do solemnly swear under penalty of perjury that the  
20 assertions contained in this declaration are true and correct.

21 1. I am over the age of eighteen (18) years. I have personal knowledge of  
22 the facts stated within this declaration, except where stated to be upon information and  
23 belief, and as to that information, I believe it to be true. If called as a witness, I would  
24 be competent to testify to these facts.

25 2. This declaration is made in support of the Plaintiff Nevada Controls, LLC's  
26 Motion to Compel.

27 3. I am a partner in the law firm of McDonald Carano Wilson LLP and a  
28 member of the firm's complex litigation practice group. I serve as lead counsel in this

1 action and have directly supervised the work of attorneys Jessica Woelfel and Adam  
2 Hosmer-Henner.

3 4. On June 1, 2012, Nevada Controls served written discovery requests  
4 upon Defendant. A true and correct copy of the Interrogatories to Wind Pump Power,  
5 LLC (First Set) is attached to the Motion as Ex. 1. A true and correct copy of the  
6 Request for Production of Documents to Wind Pump Power, LLC (First Set) is attached  
7 to the Motion as Ex. 2. A true and correct copy of the Interrogatories to Sunflower  
8 Wind, LLC (First Set) is attached to the Motion as Ex. 3. A true and correct copy of the  
9 Request for Production of Documents to Sunflower Wind, LLC (First Set) is attached to  
10 the Motion as Ex. 4. A true and correct copy of the Interrogatories to Dan Rasure (First  
11 Set) is attached to the Motion as Ex.5. A true and correct copy of the Request for  
12 Production of Documents to Dan Rasure (First Set) is attached to the Motion as Ex. 6.

13 5. Defendants' responses to the requests were due on or before July 5,  
14 2012.

15 6. On July 3, 2012, Dan Rasure contacted Nevada Controls' counsel,  
16 Jessica Woelfel, and requested an extension of time to respond to the discovery  
17 requests. The extension was not granted, and yet the responses still have not been  
18 provided. A true and correct copy of that e-mail chain is attached to the Motion as Ex.  
19 8.

20 7. On August 23, 2012, I contacted Defendants via e-mail requesting that  
21 the discovery responses be provided immediately. A true and correct copy of my  
22 August 23, 2012 e-mail correspondence is attached to the Motion as Ex. 9.

23 8. During a hearing on Nevada Controls' Motion to Strike on August 23,  
24 2012, Defendant Rasure informed Judge Howard McKibben that he had retained out-  
25 of-state counsel, Jerry Wieslander, to represent him and the other Defendants.

26 9. As a result of that representation, on August 29, 2012, I spoke to Mr.  
27 Wieslander, who has not yet appeared in this action because Defendants have not  
28 retained local counsel. During that conversation, we discussed the fact that the

1 discovery responses were overdue. Mr. Wieslander suggested that I send an e-mail to  
2 Dan Rasure, with a copy to Mr. Wieslander, to once again request the discovery  
3 responses and to address the case agenda.

4 10. On August 30, 2012, I again wrote to Defendants, and their out-of-state  
5 counsel, Jerry Wieslander, to inquire about the long overdue discovery responses. A  
6 true and correct copy of the August 30, 2012 e-mail is attached to the Motion as Ex.  
7 10.

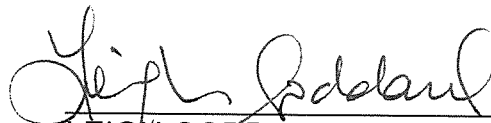
8 11. Having received no response to my August 30, 2012, e-mail, on  
9 September 17, 2012, I again sent an e-mail to Defendants regarding the overdue  
10 discovery responses and requesting a telephone call. A true and correct copy of that e-  
11 mail is attached to the Motion as Ex. 11.

12 12. There has been no response to any of my attempts to contact Defendants  
13 via e-mail or through their out-of-state counsel. More important, Defendants have  
14 failed to serve their discovery responses.

15 13. Nevada Controls has incurred legal fees and costs associated with my  
16 attempts to resolve the outstanding discovery dispute, and the preparation of this  
17 motion. The fees incurred to date are approximately \$2,815.00.

18 14. It is not known whether Defendants will oppose the Motion to Compel or  
19 whether Nevada Controls will be required to file a reply in support of the motion to  
20 compel. If the motion is opposed, it is estimated that Nevada Controls will incur an  
21 additional \$1,500.00 in attorneys' fees.

22 DATED: September 25, 2012.

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24  
25   
26 LEIGH GODDARD  
27  
28